

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JOSE AND LAURA DE ANDA, )  
Plaintiffs, )  
vs. )  
ALEXANDRA INVESTMENTS, ET AL., )  
Defendants. )  
\_\_\_\_\_  
CASE NO. CV 14-1176 RZ  
FURTHER ORDER TO SHOW CAUSE  
WHY ACTION SHOULD NOT BE  
DISMISSED FOR LACK OF  
JURISDICTION

Plaintiffs are California citizens who assert diversity jurisdiction in this action stemming from a 2012 auto collision in Las Vegas. On February 25, the Court issued an Order to Show Cause (OSC), explaining that the initial complaint failed to allege the parties' state citizenship, as opposed to their state residence. Also, Plaintiffs were alleging that the first-named defendant, Alexandria Investments, Inc., was a *California* corporation principally doing business in San Diego. The Court further explained that such facts strongly suggested that the required complete diversity was lacking. The Court stated that it would discharge the OSC if Plaintiffs filed a First Amended Complaint (1AC) correcting these facial shortcomings.

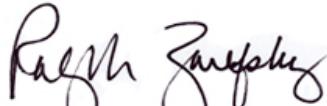
Plaintiffs filed their 1AC on March 24. The Court remains concerned, however, that it lacks jurisdiction, and it thus will not yet discharge the OSC. Plaintiffs now allege that Alexandra Investments, Inc. is incorporated in Nevada and has its principal

1 place of business in Clark County, *i.e.*, that it is a Nevada citizen and, thus, diverse from  
 2 the California-citizen Plaintiffs. But the Court takes judicial notice of two facts casting  
 3 doubt on this new allegation. The first is that the California Secretary of State's public  
 4 records reflect that an Alexandria Investments, Inc. is a current corporation incorporated  
 5 in California, based in San Diego, just as Plaintiffs initially alleged. Second, the public  
 6 records of the Nevada Secretary of State include no current or defunct Nevada corporation  
 7 called Alexandria Investments, Inc. (There was a Nevada-registered entity called  
 8 Alexandria Investments, *LLC* at the time of the underlying traffic collision, but according  
 9 to the state's records, that *LLC* was dissolved in February 2014.)

10 It is the Court's duty to assure itself that it has subject-matter jurisdiction. By  
 11 signing any paper filed with the Court, counsel is "certif[ying] that[,] to the best of  
 12 [counsel]'s knowledge, information[] and belief, formed after an inquiry reasonable under  
 13 the circumstances[,] . . . the factual contentions have evidentiary support or, if specifically  
 14 so identified, will likely have evidentiary support after a reasonable opportunity for further  
 15 investigation and discovery." FED. R. CIV. P. 11(b), (b)(3). In light of the change in  
 16 Plaintiffs' pleadings, it appears that the pleading may violate Rule 11.

17 Accordingly, and pursuant to FED. R. CIV. P. 11(c), the Court ORDERS  
 18 Plaintiffs TO SHOW CAUSE why their pleadings do not violate FED. R. CIV. P. 11(b). The  
 19 Court sets a hearing on this OSC, together with a hearing on the February 25 OSC, for  
 20 10:00 a.m. on Monday, April 28, 2014 in Courtroom 540 of the Roybal Federal Building.  
 21 By April 21, Plaintiffs shall file a memorandum proffering the evidence supporting their  
 22 averment that Defendant Alexandria Investments, Inc. is a citizen of the state of Nevada.  
 23 Plaintiffs may include in their memorandum any additional pertinent matters, including any  
 24 legal authorities.

25 DATED: April 9, 2014

26   
 27 RALPH ZAREFSKY  
 28 UNITED STATES MAGISTRATE JUDGE